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THE GREEN CALDRON

A MAGAZINE OF FRESHMAN WRITING



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Mothers March on Television

ROBERTA SONES

Rhetoric 102, Theme 6

DOES TV REALLY AFFECT THE CHILDREN OF AMERICA? Susan Mitchell, in "Now Kiddies, Tell Mommy to Buy . . .,"¹ seems to think that television rules the lives of pre-school children, but I don't think so. Maybe children don't know Mother Goose Nursery Rhymes backwards and forwards, but it has been stated by psychologists that the content of many of the nursery rhymes is detrimental to the mental hygiene of pre-school children. Yes, it is true that children spend a great deal of time before the television set, but this is due mainly to the fact that some modern mothers shuttle their children off to "get out from under my feet." However, I do not believe that intelligent mothers do this nearly as much as it is supposed.

I can testify to this by showing an example in my own family. I have a younger brother, three years old, who does watch television. But his TV time is regulated by my mother. Her rules are strict and must be observed. My brother Joel can only watch "Mickey Mouse" and "Captain Kangaroo" regularly, which takes up a total of three hours of the day. He spends at least three hours daily playing outdoors with other neighborhood children whose mothers follow the same general rules. And he spends time playing indoors, both by himself and with other boys and girls. No, he doesn't watch television during this time. He plays with his trains, builds with his blocks, listens to music from our phonograph, and "reads" his books. Joel doesn't miss television during the day; he doesn't have time to. His time is too occupied by his constructive playing, and often, when mother comes in to tell him that "Mickey Mouse" is on, his reply is, "Don't bother me, I'm having too much fun."

The majority of the other children in our neighborhood behave the same way. "Over-the-fence" conversation got this system to working when, a few years ago, many mothers were plagued by the continuous banter of their children: "Brusha, brusha, brusha, new Ipana Toothpaste" and "Hamms', the beer refreshing" were heard constantly. A psychological battle was prepared, and the mothers made war on too much TV. They got busy and readied their arms: sandboxes, swings, large splash pools, and other enticements. And the children succumbed, without too much fight.

Children of today do not watch too much television—not in our neighborhood anyway.

¹ Mitchell, Susan, "Now Children, Tell Mommy to Buy . . ." *The Green Caldron*, March, 1957, p. 13.

Kinney and the Silent Soldier

VERNALIE A. MOBERG

Rhetoric 101, Theme 1

PEOPLE WONDERED ABOUT KINNLEY MARIE FOSTER that late afternoon in October; they must have. Indeed, no one in Potterton could have passed Sherlock Square without noticing Kinney, as she was nicknamed, and the contrast that her slight nine-year-old figure made with the memorial statue of the World War I soldier as she sat at its foot. On any other sunshiny autumn afternoon, surely, they would have expected to see her romping in the leaves with the other children, but now she sat somberly, head in hands, looking at the sidewalk and pondering. Towering above her grimly, the soldier clutched his bayonet in steadfast vigilance against his long-gone German enemies. Kinney brushed the wisps of hair from her smooth, high forehead, peered up at the statue, and frowned.

In Sunday school that morning the teacher had talked about war. None of the other children had seemed to pay any attention, but Kinney had, for she had become more serious lately. She didn't know about a lot of things any more—why her legs grew so long, why she didn't enjoy playing rope or hide-and-seek as much as she once had, and why Patti's papa died after he went off to join the army—a lot of things. Most of all Kinney wondered about what Miss Sergeants had been talking about in Sunday school during the morning. In the Bible, she'd said, God told his people that they shouldn't fight each other and that, if they did, the world would come to an end, and all would be burned, and total darkness would come. Kinney had gotten a queasy feeling in her stomach when Miss Sergeants talked about the world coming to an end. It wasn't so much that her teacher had scared Kinney when she waved her hands and made faces and puffed while she was telling the story; Miss Sergeants almost always did that and sometimes succeeded in scaring the other children into being "good girls and boys" for a short while. Still, the morning's talk dealt with some of the things Kinney had thought a lot about—war, for instance.

If the world were going to come to an end by burning or becoming eternally dark because men fought each other, why didn't it happen now? Men had done a lot of fighting with each other; the soldier above Kinney was a symbol of conflict, and her best friend, Patti, had lost her father in a war. Besides, if the end might come through darkness, how did anybody know whether it had arrived or whether it was just night out? What if no one was awake when it came, and everybody died in his sleep?

Her thought was disconcerting, but an even more profound problem arose in Kinney's mind. Before long, night would come and with it the dark. Would this night be the end of the world? Had the sins of men finally caught up with them? What if the end came tonight and nobody should see it? Perhaps she ought to be the one to keep watch. Certainly Mother would forgive her if she stayed out after dark just this once.

As these ideas weighed upon Kinney's mind, the late autumn sun had begun to lower on the horizon, and the dusky shadows of twilight had approached. She had been sitting there a long time, but, deep in contemplation, she had not noticed the time pass. Again considering her problem, she lifted her inquisitive face to the soldier as if to ask him what would happen. No answer came from his cold, bronze lips, however, and now his grim determination was veiled with an early evening shadow. Kinney still watched, and slowly, very slowly, the gray mist slipped onto her furrowed brow.

The few people who passed through the square that evening must have wondered what Kinnley Marie Foster was thinking about, sitting there so quietly.



The Wax Museum

JOANNE RUCK

Rhetoric 101, Theme 6

Press notice from Hollywood: "Teenager Lipstick soon will be marketed, aimed right at Elvis Presley fans. The shades will be 'Heartbreak Pink,' 'Hound Dog Orange,' 'Tutti Frutti Red.'"

What, no "Legal Tender Green"?

If you are laughing right now, I suggest you stop. Hollywood press notices can generally be regarded as somewhat accurate, and, unless this one is an exception, Teenager Lipstick may very well put Revlon and its beautifying cohorts out of business in less time than you can say "Don't Step on My Blue Suede Shoes."

Right this minute a team of worried-looking social scientists is probably having a field day trying to apply the Scientific Method to the newest American Social Complex (or temporary siege of insanity, whichever you prefer to call it) known as "Rock and Roll." A number of other citizens are undoubtedly poring over the juvenile delinquency statistics for 1955-56, shaking their heads, and predicting that before long the youth of America will resolve itself into one homogeneous mass of gyrating, bop-talking disturbers-of-the-peace.

The most important outcome of this newest craze has been lost somewhere in the shuffle of dire predictions and hysterical warnings. Rock and Roll stands very little chance of corrupting the youth of this country; it stands a very good chance of doing a great deal of damage to the hard-won reputation of real jazz.

It was not very long ago that the term "jazz" was synonymous with that singularly immoral type of music whose performance was restricted to dark, dingy little rooms where hard liquor flowed from the water tap and dealers in heroin peddled their deadly wares.

Although much of today's good jazz still emanates from tiny rooms hidden away in the far corners of Chicago's South Side and New York's Harlem, a great deal of the stigma attached to this type of music has disappeared. Jazz is now being recognized as the only truly American contribution to the field of music; it is in the process of establishing itself as a legitimate art form.

The thought of jam sessions no longer sends shivers up and down the spines of righteous citizens. Carnegie Hall in New York is probably still counting the receipts from Benny Goodman's 1938 concert. Jazz musicians are becoming used to three meals a day.

Time magazine's cover story on Dave Brubeck last year marked a milestone in the journey of jazz from Hernando's Hideaway to Hernando's living room. Record sellers will no longer stare at you dumbfounded when you ask for the jazz labels; no dealer in his right mind will overlook Clef and Storyville when he makes up his orders. All of the major record companies have organized subsidiary jazz labels, and some of these bring in more money than their "standard" labels.

Jazz music as a whole is now widely accepted and enjoyed. Unfortunately, the time is not yet ripe for jazz lovers to rest on their laurels. They are being confronted with a serious problem. Rock and Roll is in a position to deal jazz a lethal blow. Guilt by association may prove fatal to the recently established art form, jazz.

For some reason or other, a great many people are beginning to confuse the two-beat banging of Presley's guitar with real jazz. The sharp criticisms directed toward Elvis and Friends are somehow being directed also at jazz artists, with frightening regularity.

At the risk of sounding dogmatic, I would like to emphasize the fact that there is no similarity between Rock and Roll and real jazz. They are about as much alike as the Gillette theme and Beethoven's Fifth Symphony. Admittedly, Rock and Roll is a distortion of a type of music known in jazz circles as "Rhythm and Blues," but, since distortions soon completely obliterate their ancestors, family resemblance disappeared a long time ago. If you find a similarity between a Count Basie record and one by Bill Haley's Comets, I suggest you check to see if your phonograph is playing at the correct speed. Try comparing Gale Storm's musical attempts with any one by Billie Holiday. The difference between these two examples, both unfortunately classified as jazz, should shock you.

There is one hope, despite all of this unfortunate association: Americans have a healthy habit of getting over most of their more obnoxious fads. After all, we outlived the "Black Bottom" and knee-length skirts. There is a possibility that we may be around to observe the demise of "Heartbreak Hotel." Let's hope this happens before Teenager Lipstick succeeds in establishing a monopoly in the cosmetic business.

David Dodds Moberly

JENIFER MOBERLY

Rhetoric 102, Theme 1

IF I WERE PRESIDENT OF THE UNIVERSITY OF ILLINOIS I would, carefully and thoroughly, screen the so-called guidance counselors. I had a problem. I found myself a counselor: "Pardon me, I'd like some help. You see, I took four years of French in high school. Last semester I took 201, which was too advanced for me. Is there another course I can take—I don't want to lose my French." The expressionless face remained expressionless, but the lips began to move: "Four years in high school—you don't need any more language." The fish-eyes closed and our interview was at an end. I decided to find another counselor, a good one this time.

A sign in the Armory said "LAS Counselors." I stepped up to the table and explained my problem. He sat behind his little table and squinted up at me. "What d'ya want more French for?" I explained that I didn't want to lose the language. "Ya don't lose credits unless ya take somethin' less advanced." I explained, very patiently, that I didn't really care about the credits; I just didn't want to forget the language. "Ya majorin' in French?" No. "Ya don't need any more, then." I told him I was aware of that, but I WANTED TO TAKE IT. "Yeah. Well, the thing to do is to take an easier course. Ya hafta drop some credits, though." Was there an in-between course? "Now, that I couldn't tell ya—I'm just here to help, I don't know all the answers."

Swearing under my breath, I went home and gave my roommate a loud, angry account of my day. I did not care any more whether these counselors could give me a course. I was good and mad at their asinine attitude. Education is sequences and requirements, and, above all, marks. Any course that does not have a concrete, practical purpose is a waste of time, and anyone who takes courses that merely interest him is a fool.

Boy! If I were president of the University of Illinois, I'd change that!



The Decision

LISA GOLDENBERG

Rhetoric 102, Theme 10

IT WAS A BEAUTIFUL CAMPUS, EVEN IN THE RAIN. AND it was raining hard. The trees which made an arch over the two broad-walks hung lower with the weight of the water, and their leaves glistened. The young girl huddled under her umbrella and quickened her pace.

The wonder of it all still had not left her. She had arrived at school expecting to find a lot of tall buildings on a busy street, but instead a beautiful, well-kept campus greeted her. The dark brick buildings were arranged in a large quadrangle with the Student Union at one end and the Auditorium at the other. It was the typical college campus that one reads about in "typical teenage" stories, and she was sure that she was living in a dream. In a word, it was a promise, and she was anxiously looking forward to its fulfillment.

She was, in fact, so blinded by the effect that she almost forgot her main reason for coming down to school in the first place: sorority rush. This was the last day, and she was on her way to sign a preference card that would determine which sorority, if any, that she would pledge in the fall. Visions of the past week ran through her mind: the reserved friendliness of the other rushees, the cordiality of the parties, her roommate who was dropped completely from rush by the second day. This last image marred her illusion. Somehow, unhappiness did not fit. The picture that she had mentally painted of 17,000 students all blissfully living together in perfect harmony just didn't include sorrow for anyone.

She stopped at a nearby bench and sat down. This was a matter that deserved careful thought. Perhaps something was wrong with the Greek system. Girls should not be hurt by sororities. It had always seemed as if some people were in sororities and others were not; it was as simple as that. But obviously the situation was different. This getting-into-a-sorority business was a cold, calculating affair. Animosity toward the Greek houses grew in her mind. Did she want to be a part of such an unfair system?

The other rushees were hurrying past her. She got up and began walking with them toward the building in which she would sign her preference card. Or would she sign it? She realized how unrealistic her idea of campus life had been. Sororities were not the sweet, friendly groups of girls which they had appeared to be. The girls in sororities were the same as other girls except for being a little more popular and perhaps having a little more money. Then the appeal of sororities lay in their reputation.

She reached the building and walked in. The crowd of girls was entering a large room at the top of a staircase. She followed them into the room and sat down in one of the many lecture chairs that filled the room. The number of girls in the room had considerably diminished since the first rush meeting at the beginning of the week. The room was only about one-quarter filled. A representative of Panhellenic began to speak to the rushees. She explained that no one had to name a sorority, and that each girl had the right to leave her card blank if she wished to. The young girl looked around the room at the other rushees. They were busily writing down the names of the houses that they would like to pledge. These were the "top" girls in the freshman class. It would be wonderful to be one of them. After all, there could be no denying the advantages of sororities. The buildings were much nicer than independent houses or residence halls,

and they had decided social advantages. And if all girls were the same, why not be with the "better" girls on campus? The members of Panhellenic were collecting the cards. She looked around again at the other girls in the room. She thought of her roommate and the sorority houses in the same thought. The room was emptying. Sorority pins are so pretty, she thought. She removed the cover of her fountain pen and wrote the name of a sorority on the little white card.

CEX

Caste

CARL STEHMAN

Rhetoric 102, Theme 2

You may suppress his soul, but never his emotions.

INDIA: THE HOT SUN POURS ITS RAYS ONTO THE BLACK bodies scurrying through the square. Bodies, that is about all they are, bones with dirty skin drawn over them. Never will that skin be bathed every day, and never will there be flesh beneath it to make it round and firm. These bodies are born into a lowly, monotonous life and destined by the caste system to live in it always. They labor to live. They live to labor.

At one side of the square several of the bodies have stopped their scurrying to join a small crowd. The crowd is watching two animals fight for survival. There is a cobra, its head poised, tongue flickering, hood spread. Facing it is a small brownish-gray creature, a mongoose. The hair on its neck is bristling as it always does when this creature meets a dangerous foe. The mongoose versus the cobra is an age-old rivalry. This time they meet, not by chance, but by the will of these black bodies that watch and wait for the battle's outcome.

For hundreds of years the lower castes have pitted these foes against each other. For hundreds of years the lower castes have stood about in groups similar to this one and awaited the death of one of these animals. They have watched the cobra weave from side to side and the mongoose jerk in and out at its kingly foe.

The cobra is sacred. It moves in the streets of the town unharmed by the god-fearing people. It is the purity, the sanctity, that these people are denied.

The mongoose is lowly. He is the scavenger who toils all day that he may live. He will never be the king that his foe is. He is like these black bodies that watch him.

And that is why they watch him. The mongoose always wins.

CEX

Phonies and Phoniness

DAVID M. KLINGEL

Rhetoric 102, Final (impromptu)

PSYCHOLOGISTS USE A VERY INTERESTING TYPE OF test in studying the human mind. I believe they call it a "word association" test. As the psychologist reads a certain word, the patient answers with whatever word he first thinks of. This immediate response indicates to the psychologist the feeling or meaning which the first word evokes in the patient's mind. After many tests of this type, psychologists have learned that many people respond with exactly the same word to the first mention of a given word; whenever "Civil War" is mentioned, the majority of patients respond with "Gettysburg" or "Gettysburg Address."

Selecting a word to cover and explain so varied and controversial a book as J. D. Salinger's *The Catcher in the Rye* is a very difficult task, if not an impossible one. But if *The Catcher in the Rye* were given as the first word in a word association test, I feel that the majority of the people who had read the book would respond with either "phony" or "phoniness." By "phoniness" is meant a conscious or unconscious attempt to make the observed appearance seem different from the actual reality. A simple, concrete example would be the wearing of old, ragged underwear beneath a good-looking, new suit of clothes. A "phony" then would be any person who attempts to perpetrate "phoniness"—anything which is insincere, hypocritical, or counterfeit. In the light of these definitions, I think that *The Catcher in the Rye* is primarily a study of "phonies" and "phoniness." I think that Mr. Salinger's main purpose in writing this book was to expose the shocking "phoniness" that exists in our society and to demonstrate the disastrous effect that such "phoniness" can wreak in the delicate, formative years of adolescence.

Mr. Salinger attempts to accomplish his difficult, yet extremely worthwhile purpose by presenting a succession of "phonies" for us to consider, and by showing their continued effect upon a single person, Holden Caulfield. The adjective which best describes Holden is "confused." He is confused and puzzled about life and its essential purposes, about morals, religion, education, and—not least of all—about "phoniness." It is the concern about "phoniness" which aggravates Holden's confusion and eventually causes him to become self-destructive. As Holden comes in contact with more and more "phonies," each exhibiting subtler and subtler types of "phoniness," the trend becomes unmistakable. Holden becomes more suspicious and distrustful of people, and he becomes "phony" himself in his confusion. Eventually he becomes completely unbalanced and cannot be sure whether "phoniness" really does exist, or whether his distorted mind is producing "phoniness" where none really does exist. This end is, indeed not "pretty," but I think it does accomplish the purpose which Mr. Salinger intended.

Such a conclusion may seem to be devoid of hope, but I think a possible solution is implied. Holden became unbalanced because he was too concerned with the "phoniness" exhibited by the people with whom he came in contact. He never came to the realization that he was just as phony as many of the "phonies" he detested. If he had realized that he himself was phony, he would not have been so shocked and disgusted with the "phoniness" of others. If he had been more concerned with his own phoniness, I think he would have tried to improve himself. This positive effort would have given Holden something tangible to cling to, and with it as support he might not have become unbalanced.

On the front of *The Catcher in the Rye*, the publishers make several assertions about the book: "This unusual book may shock you, will make you laugh, and may break your heart—but you will never forget it." I found this book to be very unusual; its implications are shocking enough to warrant grave consideration. Occasionally it did make me laugh, but afterwards I always felt disgusted with myself that I could laugh at anything so essentially tragic. *The Catcher in the Rye* did not "break my heart," but I do think that I am more awake after reading it. I do know, though, that I will never forget it; a reader does not forget a book in which he re-lives some of the actions and experiences of his own life.



Types of Learning

JOHN C. REYNOLDS
Rhetoric 102, Theme 10

ACH UNIVERSITY-OFFERED COURSE HAS ITS OWN CENTRAL idea and purpose. In order for the student to get the most from these courses, he must know the basic idea of each course. This sounds amazingly simple, but many students do not have any notion of what they can expect from each course. Let us examine some college courses.

The easiest courses to analyze are the ones which are strictly mechanical. These are courses which teach a student how to do something. By taking a mechanical course, a student learns, or should learn, a skill. Some courses in this category are drafting, typing, and Rhetoric 100. These courses require very little from the student except practice. He learns by using his growing skill over and over again, until his drawings all have sharp, clear lines, or his fingers automatically hit the right key, or he writes the correct verb tense, or noun case, without half thinking about it. Many of these skills are essential to more advanced courses. However, by themselves they merely give the student a skill, not an education.

Perhaps the best-defined courses are those called scientific. Subjects in this group are physics, chemistry, and most engineering courses. These are courses in the nature of things. A student in these courses learns what things are made of, how they act, and the best ways to make use of them. All these subjects are courses in understanding. They differ from mechanical courses in that respect. A student does not need understanding in most mechanical courses.

A third type of course is in the social studies. These courses teach a student to understand other people and their ideas. They teach him to get the most from what he reads, sees, and hears. Courses in literature are subjects of this type. They are also courses in understanding; however, instead of inanimate objects, people, their ideals, and their methods of conveying ideals are studied. A student learns how other people think. He learns to pick the main idea from a book.

The artistic course is the complement of social studies. In an artistic course a student learns to put his own ideas into a medium that other people can understand. This communication may be in the form of an essay, a picture, or anything which can be understood by another person. Artistic courses, then, are mainly courses in creation. An artist takes his own personal ideas and creates something from them.

Few courses fit into any one group. They cut across boundaries to take material from several or all of these categories. Rhetoric 102 will make a good example. This is a course in composition. A student must form his ideas and write them down on paper. The work thus written must be comprehensible to other people. Since this is creation of something which never existed before, we must label Rhetoric 102 as mainly artistic. It has other characteristics, however. In order to write, the student must use mechanics learned as far back as grammar school. He is also expected to read and understand several essays during the semester. This, then, is also a course in social studies. We come to the conclusion, then, that Rhetoric 102 is mainly artistic, with smaller emphasis on social studies and mechanics.



What I Am versus What I Want to Be

CARROL HINKLE

Rhetoric 101, Theme 12

NOW I AM A COLLEGE COED. NOW I GO TO WINTER formals and Coke exchanges. Now I go TGIF'ing on Fridays. Now I cheer George Bonsalle, Ted Caiazza and the Fighting Illini on to victory. Now I study for hourlies and pray for "Aces."

I remember the hectic fun of freshman week. I remember the first date I had with a senior. I remember the thrilling excitement of the Michigan upset. I remember the carnival appearance of Homecoming. I remember that anxiously awaited Thanksgiving vacation and the first snowfall on campus.

All this I remember; all this I'm doing; all this I am.

To say that I've had fun is very true indeed. I've enjoyed being part of this campus. However, there's a voice within the soul of every man that keeps repeating, "What do I want to be?" Every man must answer it according to his conscience. Until a few short months ago I thought I had stifled the voice and answered the question. I had plans for a journalistic career. It seemed to be what I wanted more than anything else. But the voice didn't cease; the question wasn't answered.

A few short weeks ago amid the silent atmosphere of a church, I found the answer. At the end of the semester, I shall leave the bustle of campus life to enter the quietness of a convent. I shall leave the Illinois pennants and the dance bids; I shall leave the gold formal I bought especially for our house dance; I shall leave the Saturday night dates.

And what will I get in return? I will find the rarest thing on earth today—peace. I will find the opportunity to love and help. I will find a faith that is strengthened and a knowledge that is broadened. I will find new concepts and different ideals. But most of all I will find the answer to the question, the reply to the voice.

Do not assume, however, that I will forget the ways of college. I don't want to forget. College has been a part of my life, a part of my fondest memories. Who wishes to destroy a treasured memory? College has given me the ability to live among the people of this world, and I must understand if I am to help.

This is what I want to do.



A Closer Look at Dating

CAROLE J. SCHAMBERG

Rhetoric 101, Final

In the third booth from the door sit two people. Let's move in a little closer. The two people are engaged in an absorbing topic of conversation. A close-up reveals that one of the people is a boy of approximately twenty, and the other person is a girl of eighteen. Inset: they are holding hands so that no one else can see them. . . .

. . . The phone on the first floor rings; a few seconds later the buzzer in the room croaks three times. That's the magic signal

that you have a call. Before you answer, you ask, "Is it a boy or a girl?" If it is a male, your voice is dropped one octave and after a long pause the conversation finally gets under full steam. The result is a date for six weeks from the following Saturday. . . .

Dating is a word which has no definition. To some people it is a way of getting anything from a free meal on Sunday night to a boy's fraternity pin. To some others it is a way of meeting and learning to understand other people. And to the naive souls it is an American tradition which helps young people find their soul-mates.

I have my ideas as to what dating is, too. It is an amusing game which is best played if both parties who are involved are complete hedonists. This does not mean that one should toss all ethics aside in order to enjoy himself; after all, one must keep a vestige of moral law in mind even if he is a hedonist.

There are several kinds of dates: boy-across-the-street dates, big dates, he-has-a-blue-convertible dates, and lastly the we-enjoy-each-other dates. Each variety has its place, but most of them are ridiculous because the people who are dating won't let themselves really play the game to its fullest possibilities. The "big" or "important" dates, which usually should be the most fun, often drag along until it is late enough to go home. It is true, I have seen it happen time after time.

To me, dating can be a happy and pleasurable experience. First of all the partner for the game must be hunted. Here is where most of the trouble lies. When a person is looking for someone to date, he will almost invariably choose an individual who is very much like himself. Not me. The more unusual the person is, the more interesting the date will be. After all, if you go out with someone who likes everything you like, who does everything you do, and who has the identical background that you have, why even bother to go out at all? You could stay home and talk to yourself all evening with exactly the same results.

After the date is arranged, then what? Will you go to dinner and then to a show? Well, that is all right occasionally, but try something different. Whenever I say this, people always ask, "What is there to do that's different?" There are literally hundreds of marvelous things that are fun, and quite often one even learns something by trying new activities.

Many people, however, are inhibited by an odd sense of social pressures. When they date they never think of going hunting, for example. I did, and I became a fairly good shot. I have also learned, in just the past year, a great deal about Sweden and the Lutheran religion from a Swedish friend, how to make some delicious salads from a boy whose hobby is cooking, and how to read the stock exchange page of the newspaper. Of course, there have been the normal number of shows and dances, but they were fun because they had not been overdone.

Dating is a chance to learn, to learn about people and what they are

like in Bermuda shorts and a tennis sweater, not what they are like in a tuxedo. Be selfish about it, and date someone who is not only pleasant to be with, but who also knows something you want to know. By learning, you will yourself become a person who is relaxed, interesting company. Remember those people in the third booth? What do you think that absorbing conversation was about?

They were discussing the processes involved in the manufacture of the linen cloth on their table.



How to Install an Electrical Receptacle

RONALD W. SADEWATER

Rhetoric 101, Theme 1

THE INSTALLATION OF AN ORDINARY ELECTRICAL REceptacle seems like a rather uninspiring task that would be extremely wearisome if engaged in day after day. This could easily be the case except for the human element involved in any line of endeavor. If we form a living equation from the elements, X (a job to be done), Y (someone to do the job), and Z (someone to supervise the job), I'm sure we would find that X plus Y plus Z equals infinity. The X in our equation will be the installation of an average electrical receptacle, Y will be the electrician, Mr. Sparks, and Z will be Mrs. Homebody. Now we will combine the values and see what the result will be.

When Mrs. Homebody decides that she needs some more convenience outlets in her home, her first difficulty will be to convince Mr. Homebody that he wants more outlets, too. We will not dwell on the miscellaneous nefarious schemes that she will employ to such an end. It is sufficient to say that the electrician will soon be called.

The arrival of the journeyman electrician means that the two principal antagonists will meet face to face. Item number one to be discussed will concern the whereabouts of the electrical outlet. After a short discourse, the most practical location for the receptacle will be perfectly apparent to Mr. Sparks. He will suggest that the outlet be situated on a rolling tripod with a variation in height of from floor level to forty-eight inches, to which will be attached one hundred and fifty feet of heavy-duty drop cord. This will not only enable Mrs. Homebody to wheel it to the numerous locations she has mentioned, but it will also enable her to wheel it back from whence it came. Normally Mrs. Homebody will fail to see the humor in this arrangement, and

she will decide on a more precise location, just out of spite. Nevertheless, Mr. Sparks can now get on with the work at hand.

In the average installation where a definite location has been designated, the next step will be to locate an appropriate source of power. This power will come from a junction box in the attic or basement of the ordinary home. When the power must be taken from the attic wiring, the electrician is in for a hot, dirty time. Attic installations are almost invariably summertime occurrences, and this allows the wireman to really warm up to his work. At a time like this, the electrician might well wonder if it isn't against union rules to install an attic-powered receptacle in cooler weather. Nevertheless, the initial step will be to locate the attic scuttle hole and rig up a drop cord to light the attic. This accomplished, the electrician must determine a point on the partition that is just above the desired location. He can accomplish this easily by measuring from various check points at hand, such as water pipes, chimneys, or soil pipes. When he has determined the proper spot, he will then drill a hole through the plate of the partition and into the wall space. As the drill is withdrawn, there will be a look of apprehension on the electrician's face as he awaits the appearance of light through the drilled opening. In this instance, the light of day is not desired, for its presence would mean that the wall had been missed. Of course, a man is not an electrician unless he has missed a wall once, but once is normally enough. Assuming a properly drilled hole, a chain or string and weight is dropped into the wall space to determine if the opening extends all the way down to receptacle height. If the way is clear, the electrician can leave the attic for awhile as he cuts in for the outlet box below.

Before opening the wall, a newspaper is spread out to catch the lath and plaster that will fall during this operation. With the wall open, the wireman reaches in and grasps his pull wire (anyway that's what a manual on the subject would probably say), and he is then ready to pull in the electric conductor. The conductor in this case will be a non-metallic sheathed cable called Romex or a metallic sheathed cable called B/X, either of which may be attached to the pull wire. Returning to the attic, the wireman will pull the cable up into the attic and will fasten it to the junction box by means of a connector and a locknut. When the wire is secured, the electrician returns to the receptacle location and cuts off the cable to the right length. The cable is then fastened to the outlet box with clamps, and the outlet box is fastened to the wall with wood screws or box supports, depending on the construction of the wall. Now the receptacle is attached to the wires, and it and the plate are secured to the outlet box. This done, the electrician returns to the attic and skins and cleans the proper wires in the junction box. The incoming cable wires are spliced to these, and the splice is soldered or fastened with a wire nut and taped. After putting the junction box cover back in place, the wireman can gather up his tools and light, and descend through the scuttle hole for the last time—if his ensuing test of the receptacle shows that it is

functioning properly. If the outlet is in order, he can put the scuttle-hole cover back in place and carry out his gear.

We can now focus our attention on a receptacle with the other source of power. The basement-fed receptacle is simpler to install than one in an attic, unless it is located on an outside wall in an older dwelling. An older building has, in most cases, a solid limestone fundation, and the electrician may well find that the partition he has to reach is about one or two feet out over this rock barrier. Such a location will necessitate knocking out a large chunk of stone to get drilling room, and this is not usually done unless the owner is adamant in his choice of location. Other troublesome spots in a basement are walls situated directly over furnaces or coal piles. Assuming the location is accessible, the procedure, then, is much the same as an attic installation. The point for drilling is located, and a hole is drilled up into the partition. As before, the drill is slowly withdrawn while the electrician checks for light. Then a fish wire is probed into the opening to see if the path is clear of obstructions, and the outlet hole is cut. The rest of the work merely duplicates that of the attic job. When the last connection is made and tested, the materials and tools are returned to the truck, and our little human equation is about to be solved.

At this point, Mr. Sparks calls Mrs. Homebody into the room, ostensibly to inspect his handiwork. This is just a subterfuge introducing a little drama that could be called, "Who Gets Stuck With The Clean-Up Job?" Gazing nonchalantly at the pile of lath and plaster on the floor, Mr. Sparks inquires, "Do you have a broom, Mrs. Homebody?" If she says, "Oh, never mind that. I'll clean it up," Mr. Sparks has won the last round. Should the answer be, "Yes, I'll get it for you," then Mrs. Homebody has won. The outcome is in doubt to the end, and still can be an indeterminable variable.



Effective Advertising

RAYMOND J. LATCHFORD

Rhetoric 102, Theme 6

TELEVISION, NO DOUBT, HAS BEEN THE BIGGEST BOOST to advertising since the invention of the roadside billboard. The methods used by a sponsor are many. Since I am not an expert, I am unable to delve into the intricacies of the advertising business, but as an observer I am able to perceive some of these methods.

Some adults probably consider the method of appealing to children to encourage and browbeat their parents into a purchase as contemptible. Although it is apparently disliked, I find it no more contemptible than other

methods of advertising. The sponsor is merely appealing to one of the human traits. In this case he is appealing to parental love. He knows that a loving parent will not deny his child a certain product if it is possibly attainable. The advertiser also knows that the percentage of non-loving parents is small, and even in this minority there is a chance of a sale because the parent may buy the product just to keep peace and quiet in the household.

Another method that I believe is far more successful, and one which the public highly approves of, is that method which appeals to our sense of humor. Almost everyone enjoys a laugh. Those who do not probably haven't the mental faculties to make a purchase anyway. Through observation and personal experience I have seen the effects of the method of humorous appeal.

About a year ago, a new commercial appeared on the New York metropolitan television screens. It was an animated cartoon which depicted two men who supposedly represented Harry and Bert Piel, the owners of Piel Brothers Brewery. Harry was bald, tall, soft-spoken, mild and pleading. Bert was balder, short, outspoken, forceful, demanding and in some instances actually offensive. Their voices were those of Bob and Ray, the radio-TV team. The film was not used on any of the scheduled shows, but was used between shows, between news and weather announcements, during station breaks and during movie intermissions. The films ranged in time length from thirty to sixty seconds. They were always entertaining. Although it was impossible to have different skits every time, new situations appeared regularly and many people found the repeats were still enjoyable.

I have yet to meet the person who had a bad word for either Harry or Bert. I saw my father laugh for a full minute at one of their skits. Even Jack Benny never affected him as Harry and Bert did. Very soon thereafter, two cases of Piel's beer, which had never previously entered the Latchford residence, appeared in the refrigerator. I would suffer through a dull horse opera in order to see the Piel commercial. Many people, including our family, would actually come into the living room to watch the commercial and then leave when the program resumed.

At the time that Harry and Bert invaded the television screens of New York I was employed as a truck driver for a rival brewery. Since I always delivered to New York stores, I was able to observe the sales and activity of Piel's. I do not have any statistics but I understand that their production almost doubled. The number of Piel trucks on the road increased steadily throughout the summer. Tavern and store owners informed me that they were enjoying a substantial increase in sales of Piel's in comparison to the sales of previous summers.

Harry and Bert, by an appeal to the public's humor, created many things: a definite increase of their sales, a better approach to the advertising of a product, more jobs due to their increased output. Perhaps the only group who may have possibly disliked Harry and Bert was the Piel drivers who were razed constantly by drivers of other breweries. They became very

indignant upon being dubbed with the names of their employers. More than once I was threatened with bodily harm when I referred to one of the Piel drivers as Harry or Bert. But I believe that they were insincere in their resentment because they realized that Harry and Bert were fattening their pay checks.



The U. N. is Worth Our While

KLAUS E. BIALLOWONS

Rhetoric 102, Theme 11

IF ONE IS TO ACCEPT THE SWEEPING DENUNCIATION OF the U. N. by Lord Beaverbrook's *Daily Express* and the hearty concurrence of the *Chicago Tribune* as a growing popular movement—and there is evidence for such a trend in American public opinion—it would seem that our troubled world is again headed for the general fiasco that followed the dissolution of the League of Nations in the twenties. On one hand, a certain smugness making itself felt asserts that we do not need anybody's help to make our decisions. There is also the reaction from a feeling of frustration caused by the inability of the United Nations to cope decisively with the problems at hand.

When World War I ended with a crushing blow to the Kaiser's empire, the world reflected on war's horrors and the extent of its destruction, and decided, once and for all, to put an end to all this waste of young blood and the destruction of man's efforts. With hopes set high, the nations banded together and formulated a charter that would secure eternal peace among the peoples of the world.

The fact that the United States did not join the League of Nations may have decisively contributed to the ultimate failure of the organization. Whatever the reason, the fate of the League is now history.

In 1945 the most destructive and costly war mankind had ever known came to an end. The Axis powers lay crushed; the atomic age had been ushered in; the British empire had started to crumble; the United States had assumed the number one position among world powers; jet planes had replaced propeller-driven antiques; Russia had made her astounding comeback; the West had been sold down the river at Yalta; Germany would never, never, never be rearmed; good had won over evil.

And once again the people of the world rallied to the vision of a future without bloodshed, with "justice for all, and malice towards none." The year 1945 saw the birth of the United Nations Organization; the year 1957 promises to be that organization's most crucial test. The world will cast its

vote of confidence; and thus the world may decide—one way or the other—its own fate.

Who has ever heard of two people getting along without ever disagreeing; who knows of any business that, at one time or another, has not had to face a crisis? Ask, and most people will probably cite psychological research material and financial bulletins to prove that such cases are purely utopian. Yet, these same people become frustrated and impatient when the U. N., a conglomeration of sovereign states having conflicting economic and political theories, is unable to reach speedy and conclusive settlements. In its eleven years of existence, the U. N., to be sure, has not been successful in eliminating world tension. Its few victories were gained the hard way, after considering the interests of all countries concerned. But, the U. N. has been able to do one thing—namely, maintain the delicate balance that has so far averted World War III. In 1945 we readily said that it was far better to talk for a year to achieve settlement of a problem than to do it in a day at the expense of bloodshed. Today many of us have forgotten this pledge, and the horrors that evoked it. There are many who are ready to take a chance, because they are tired of waiting; because they feel that the results could not really be quite as bad as once pictured.

"Get out of the U. N. O. Have no more truck with a fraudulent body which disrupts the structure of civilization, gives comfort to the evil-doer, and pursues immoral aims with sanctimonious words." These are the words of Britain's *Daily Express*. Just how long is the world going to continue believing in old fairy tales? The time has long come to face up to the facts; perhaps then we will be able to understand ourselves better. We know the truth about communism, and we loathe communism. Do we know the truth about ourselves? If we wish to set ourselves up as judges of good and evil, we would do well to appraise our own actions first.

When the United States entered World War II to side with Britain and the Soviet Union to smash the Axis, the Allies ostensibly proposed to carry the torch of liberty and democracy to the enslaved nations of Europe. Today we know that half of Europe is controlled by a political system infinitely worse than the one we originally set out to destroy. The events in Hungary today bear strong testimony to this. It would be infantile to believe that any of the Allies, at the time that they were supplying Russia with arms and food, were so naive as to presume that they were dealing with a democracy. This is called political expediency. It was for political expediency that the U. S. S. R. and her satellites were permitted to become members of the United Nations. Was there any doubt then that the communist political systems made mockery of the U. N. charter? It was for political expediency that Franco of Spain was put back into good grace—after he had first been stamped a ruthless dictator and ostracized by the society of free nations—when it became evident that he might be of service to western defense efforts. Yugoslavia became worthy of over a billion dollars in American aid upon turning her back to Soviet political control, without a change in her ruthless one-man system of govern-

ment. Britain and France forcibly suppressed anti-colonialist uprisings in Kenya and Algeria. Hypocritically, representation in the U. N. is denied to Communist China in favor of a pro-western dictatorship which represents but a tiny fraction of China's population.

In view of the invasion of Egypt by Britain, France, and Israel, the *Daily Express* does an excellent job of obvious self-incrimination. Britain was first in line at the U. N. to launch a vigorous protest against Nasser's ouster of British nationals from Egypt. Admittedly, Nasser's action is not in accord with the charter of the U. N. or the provisions of the Geneva Convention. Yet, Britain herself blithely ignored the U. N. charter's stipulations against armed aggression. "Sanctimonious words"; the world is being showered with them these days from all directions!

After we have been honest with ourselves, where does it put us? We have gained much if we realize that we are human, and that when we deal with problems, their solution is not a choice between black and white, but rather between various shades of gray. The United Nations was not set up to deal with lofty utopian ideals. Its purpose is to weigh evidence in a world of solid realities. The effectiveness of the organization is but a mirror of the cooperation given it by its member nations. By leaving it, we are not deserting a lost cause; instead, we are losing the cause by deserting it. There is much to be found lacking in the U. N., to be sure. Let us, however, give it our full support as long as no better solution has been found. Resourceful people make the most of what they have because they are confident that something positive, however little, will ultimately be achieved.



The College Athlete

A most lamentable product of college athletics is the athlete.

His college career prepares the athlete for nothing in particular, or at least nothing adequately; thus equipped, he can do nothing after graduation but go into professional athletics or get some dull, moderate-level job. Then he will marry some female worthy of him, and they will further dilute the intellectual standards of the world by some kind of small-scale mass propagation.

If athletes' minds were as well-developed and manipulated as their bodies, then perhaps there would be no athletes. This I would find a most delightful situation.

—KATHRYN DIETRICH, Rhetoric 102

The Fight Against Canon 35

WILLIAM D. HANSEN

Rhetoric 102, Reference Paper

THE BATTLE FOR THE RIGHT OF PUBLIC TRIAL HAS been a long and stormy conflict, one that has not yet witnessed a complete and enduring victory. The first blow in its behalf fell almost 750 years ago when the English barons forced King John to affix his seal to the great English guarantee of human rights—the Magna Charta.

The king's courts of justice shall be stationary and shall no longer follow his person: *They shall be open to everyone; and justice shall no longer be sold, refused, or delayed by them.*

Since that June day at Runnymede, the battle has witnessed many blows. In recent centuries, the Spanish Inquisition, the English Court of Star Chamber, and the French Monarchy's abuse of the *lettre de cachet*, as well as the practices of the tyrannical governments of the past fifty years, have caused a profound distrust of secret trials to develop in Western civilization.¹

American courts, with few exceptions, have always allowed free public trial, with the free press represented as a means of allowing a far greater number of persons than those who could attend the sessions to "witness" the court's actions. No objections were voiced to the right of the press to use illustrations of court proceedings as a means of further reporting the happenings—no objections until the mid-1930's.

The first noteworthy use of illustrations of court action in an American publication of current events came almost a hundred years ago. *Harper's Weekly* covered the Washington, D. C., trial of the Honorable Daniel Sickles, who was acquitted of the slaying of his wife's lover. They published, not only the usual written copy, but also sketches of the principals of the case, made by one of their reporters in the courtroom. In the years that followed, publications continued to use in-court sketches until the development of the halftone engraving made possible the use of photographs—a much more accurate and vivid medium.²

Photographs of trials continued to be taken with no universal objections until 1936 when the American Bar Association adopted its thirty-fifth Canon of Judicial Ethics, which bans press photography in the courtroom.³ As a result, publications wishing to continue to give the most complete possible coverage of court actions to their readers are forced to revert to the use of

¹ J. R. Wiggins, *Access to Judicial Proceedings*, p. 1. Italics in Mr. Wiggins' paraphrase of the Magna Carta are mine.

² "A Venerable Art and a Courtroom Drama," *Life*, 33:14 (November 24, 1952).

³ Gustave A. Weber, "An Untitled Series of Four Articles on Courtroom Photography," 1:2 (unpublished, U. of Illinois, 1956).

an artist—a device which does not seem to call down the wrath of the ABA as readily as does the use of a press photographer.

At the outset of the 1936 Lindbergh kidnapping trial of Bruno Hauptmann, later convicted, the presiding judge, Justice Thomas W. Trenchard, concluded a "gentlemen's agreement" with the press photographers present, to the effect that picture taking would be permitted only during court recesses. A group of five ambitious motion picture companies formed a "pool" and set up an ingenious device to photograph the trial. They placed a bulky movie camera in the courtroom gallery; it was silenced and used existing light. They also placed a microphone part of the way back in the room and arranged it so that it would pick up the action in the front of the court. The microphone and the wires leading to it were not concealed. No objections to the filming were heard from the bench, the accused, the witnesses, or the attorneys. The only objection came several days later when the films were released to the movie-houses. Justice Trenchard then protested that the "gentlemen's agreement" had been broken, and he ordered the showing of the movies to be stopped. It wasn't. As a result, a special American Bar Association committee was formed, and it drew up Canon 35.⁴

The ABA's Canons of Judicial Ethics are statements of recommended behavior of the legal profession. As they are only recommendations, they do not have the force of a regulation but they do carry a tremendous amount of weight with a judge who is forced to decide if he should obey them or be a "renegade." There are very few renegades in the legal profession. The Canon states, in part:

The taking of photographs in the court room, during sessions of the court or recesses, between sessions, and the broadcasting of court proceedings are calculated to detract from the essential dignity of the proceedings, degrade the court, and create misconceptions with respect thereto in the mind of the public and should not be permitted.⁵

By its very wording, the canon has created disagreement as to what is objectionable. The National Press Photographers Association, an organization of more than 2,000⁶ working lensmen of all media—newspapers, magazines, wire services, and news-reel organizations—has concentrated its attention first upon the question of whether or not a press photographer can cover court proceedings unobtrusively, and second upon whether or not the press has the right to publish photos taken in court.

In answering the first question, the photographers have demonstrated, time and time again, the new tools of the trade—small cameras, fast lenses, and high-speed films—which have made possible almost unnoticed picture taking under any lighting conditions. In the past year, photographers have

⁴ John Detweiler, "The Press Photographer and the Courts," p. 10.

⁵ *Canons of Professional and Judicial Ethics*, p. 56.

⁶ "1955 Was a Fine Year for NPPA," *National Press Photographer*, 11:6 (February, 1956).

taken every opportunity to prove that they can take pictures without distracting—in fact, even without being noticed.

During a debate of the ABA's 1956 Conference of Personal Finance Law in Dallas, Texas, two NPPA photographers took the opportunity to demonstrate the latest advancements in natural light photography. After the debate Judge J. E. Hickman, Chief Justice of the Texas Supreme Court, told a photographer that he had been warned that photos were to be taken and he wondered why none were. Shown prints of those taken, he remarked, "If I didn't know you were taking pictures, it couldn't have bothered me any, could it?"⁷

James L. Kilgallen, veteran International News Service crime reporter for the past 30 years, commented on the work of the photographers admitted to the recent Colorado trial of John Graham, later convicted for the murder of his mother by dynamiting an airliner and killing 43 others: "Cameramen operated so unobtrusively at the Graham trial that few spectators realized the photographers were in the courtroom. They 'shot' countless pictures without the individuals photographed being aware of it."⁸

Joe Costa, NPPA board chairman, sat on the witness chair at the recent Colorado Supreme Court hearing on Canon 35 and explained the operation of his small 35 mm. camera to presiding Justice O. Otto Moore and NPPA Attorney Fred Mazzulla. Mazzulla asked him why he didn't take a few pictures of them. Costa replied that he had already taken six. Gordon Yoder of Telenews later sat in the same chair holding a sound movie camera in his lap. Judge Moore asked him if it was operating. Yoder replied that it was; in fact, he had recorded his conversation with Moore on the film, as well as the judge's surprise when he realized that he had been staring into the lens of an operating movie camera.⁹

These four demonstrations are only a small number of those that have been conducted across the country in the past few years before judges, hearings, bar association meetings, and law students at moot courts. One example, however, should be ample proof to any person who doubts the ability of a cameraman to take pictures unobtrusively. If a photographer with a bulky movie camera in his lap can carry on a conversation with a judge over the merits of courtroom photography and, at the same time, take movies of the judge without his knowledge, then it is rather evident that nobody will notice a photographer when attention is focused on an important trial that is in progress and in which there is no reason to think of a cameraman.

It is also important and interesting to note that in the incident which caused the creation of Canon 35, Justice Trenchard, as he later admitted, had

⁷ "ABA Wavers In Its Stand Against Courtroom Photos," *NPP*, 11:6 (October, 1956).

⁸ James L. Kilgallen, "Here's a Word-Picture of Cameramen in Court," *NPP*, 11:6 (October, 1956).

⁹ Jack Darr, "Colorado's High Court Explodes Canon 35," *NPP*, 11:21 (March, 1956).

not even been aware that photos were being taken.¹⁰ He objected only to the showing or publication of the pictures. The objections to photographers practicing their profession in court on the grounds that it "detracted from the essential dignity of the proceedings" came as an aftermath of Canon 35, rather than being a causative factor; previous to the canon, the photographer was considered unobtrusive! Only since its adoption has he had to prove a fact that was generally accepted previously.

Considering the original reason for the existence of the canon as also being the present reason makes it much easier for one to understand the ABA's objection to courtroom photography. The general feeling in legal groups is that to permit photography at public trials would be to violate the "right of privacy" of participants or spectators.¹¹

The "right of privacy" is defined as "the natural right of every person to demand that his private affairs shall not be exhibited to the public without his consent." The general concept of a "right of privacy" was designed to give an individual a remedy against a person who, without his consent, publishes his private affairs, uses his photograph for commercial purposes, or comments upon his domestic relations.¹² None of the three reasons, with the possible exception of the first, can be considered as pertinent to press photography in the court. The only question which then arises is whether a person who is involved in legal proceedings in a public court has a "right of privacy." An often quoted opinion regarding this matter says no.

... There are times . . . when one, whether willing or not, becomes an actor in an occurrence of public and general interest. When this takes place, he emerges from his seclusion, and it is not an invasion of his rights of privacy to publish his photograph with an account of such occurrence. *Brents v. Morgan*, 211 Ky. 765, 299 S.W. 967, 55 A.L.R. 964.¹³

An interesting extension of this opinion was made by a long-time friend of the cameraman, Judge Saul I. Rabb, Criminal Court, Division 2, Indianapolis, Indiana, in his talk before the 1955 Press Photographer's Short Course at Allerton Park, Illinois. He said that he believed, "since the taxpayers pay the load for all courts, civil as well as criminal . . .," the photographer should also be allowed to photograph civil cases for publication. Perhaps the "individual" will even be pulled from beneath his "right of privacy" shield in his "domestic relations."

The news-photo profession has received few opportunities to present its case in its entirety. In most instances, photographers have been restricted, for one reason or another, to giving demonstrations or arguing one point

¹⁰ Detweiler, p. 11.

¹¹ *Ibid.*, p. 6.

¹² William G. Hale, *The Law and the Press*, p. 299.

¹³ *Ibid.*, p. 323.

before a court in answer to a particular case. Their first chance to present the entire case came early in 1956.

On December 12, 1955, the Colorado State Supreme Court issued a double-edged order. It placed a statewide ban on all courtroom press and TV photography, as a result of announced plans to televise the arraignment of John Graham for murder. It also made a provision, in an attempt at fairness, for an inquiry to start January 30, 1956, into the "sustaining or amending" of Canon 35. Associate Supreme Court Justice O. Otto Moore was named referee.

Moore commented that he believed the hearing would be without precedent.¹⁴ Under normal circumstances, a cameraman wanting to test the validity of a court's ban on photography would have to violate the ban and be held in contempt of court to get the hearing. By so doing, he would place himself in jeopardy of punishment.¹⁵

Shortly after the announcement of the hearing, NPPA President Art Witman wrote Justice Moore stating that the NPPA wanted to present testimony at the hearing and suggested that selected cameramen be permitted to photograph the hearing to show that it could be done in a manner that would not disturb the dignity of the proceedings, "since . . . the newscamera itself will be on trial as an instrument of communication . . ." ¹⁶ Shortly thereafter, Justice Moore agreed to permit such photographs to be taken.¹⁷

Early in the six-day hearing, Moore announced that he would consider only "whether the press photographer in his operation inside the courtroom as a matter of fact does disturb the decorum of the court or destroy the dignity essential to the administration of justice in the trial of cases."¹⁸

Eight newsmen started out the first day to reaffirm the fact that photos can be taken in court without being obtrusive by making more than 500 photos of the proceedings. They operated in two phases. In the first phase, they took 40 shots with cameras hidden under jackets, ties, and hats, without being noticed. After entering the prints in the record, Joseph Costa, NPPA Board Chairman, said: "If we can operate in a courtroom without in any way interfering with a trial, it is hard for us to understand why the opponents of courtroom photography persist in saying that picture taking degrades and distracts."¹⁹

At the conclusion of the hearing, Justice Moore stated that it had been

¹⁴ "Colorado's Supreme Court Paves Way For Full Inquiry of Canon 35 Issues," *NPP*, 11:1 (January, 1956).

¹⁵ Such a case of criminal contempt is discussed in a later reference to a Pennsylvania Supreme Court decision, now being appealed to the U. S. Supreme Court.

¹⁶ *Ibid.*, p. 10.

¹⁷ "Proof Positive," *NPP*, 11:10 (January, 1956).

¹⁸ Darr, p. 1.

¹⁹ *Ibid.*, p. 20.

demonstrated to his satisfaction that "pictures can be taken—even moving pictures—without attracting attention."²⁰

In the second phase of their picture taking, the lensmen brought their cameras into the open and "shot" the remainder of the trial. There were still no lights flashing, cameras clicking, or photographers standing up.²¹

The photographers entered quite an impressive array of opinions from different judges in answer to the second question of Canon 35, whether the press has the right to publish a courtroom photograph. Former District Judge R. L. Sauter stated that those in court "have no more right to object to photos than they would have to publications of their names." Pennsylvania Supreme Court Justice Michael Musmanno stated in a letter to Costa: "The most striking and most vital characteristic of a trial in America is the fact that it is public. . . . To black out the courthouse is to enshroud justice." District Judge James M. Noland said: "If we can't bring these people [our citizens] to the courtroom, I want to bring the courtroom to them."²²

In his report to the Supreme Court, issued after six days of testimony, Justice Moore stated that "the canon is wholly without support in reality."

I am . . . certain that the vast majority of those supporting continuance of Canon 35 have failed, neglected, or refused to expose themselves to the information, evidence, and demonstrations of progress which are available in this field. I am also satisfied that they are unfamiliar with the actual experiences and recommendations of those who have permitted supervised coverage by photographers, radio and television of various stages of court proceedings.

In answer to the argument of the "right of privacy," Justice Moore stated that "the law does not recognize a right of privacy in connection with that which is inherently public matter." Thus he concluded, "to uphold Canon 35 on the ground that it prevents a violation of the individual's 'right to privacy' would be to . . . make effective the prior restraint upon freedom to publish . . ."

He concluded with the statement that he felt the matter should be left to the individual trial judges. He offered a substitute rule which he recommended be adopted in place of Canon 35:

Until further order of this court, if the trial judge in any court shall believe from the particular circumstances of a given case, or any portion thereof, that the taking of photographs in court proceedings would detract from the dignity thereof, distract the witness in giving his testimony, degrade the court, or otherwise materially interfere with the achievement of a fair trial, it should not be permitted; *provided, however, that no witness or juror in attendance under subpoena or order of the*

²⁰ *Ibid.*, p. 1.

²¹ *Ibid.*, p. 20.

²² *Ibid.*, p. 23.

court shall be photographed or have his testimony broadcast over his expressed objection; and provided further that under no circumstances shall any court proceedings be photographed or broadcast by any person without first having obtained permission from the trial judge to do so, and then only under such regulations as shall be prescribed by him.²³

The Colorado hearing and Justice Moore's opinion, which was subsequently approved and adopted by the Court sitting *en banc*, is a milestone in the fight against Canon 35. It marked the first time that this obstacle to public trial was given a substantial setback.²⁴

Moore's opinion did contain one serious and rather obvious contradiction, however. After first stating that the law *does not* recognize a right of privacy with a public occurrence, he then recommended that photographs should not be allowed if a person in a public court under court order or subpoena should object, on grounds of his "*right of privacy!*" By so contradicting himself, Justice Moore has left the old question of "*right of privacy!*" in about the same place he found it.

At best, the decision of the Colorado Supreme Court is law only in Colorado courts; however, it will undoubtedly be used as a precedent in future hearings and court rulings on the matter. Two alternatives would affect all courts in the nation. One is a change in Canon 35 by the ABA itself, and the other is a decision on the matter by the U. S. Supreme Court. The first could conceivably come about, although it is doubtful. Even if it did, after twenty years of abiding under such a set rule, many judges would probably find it difficult to make a complete reversal overnight and allow courtroom photography.

The other possible solution may be on its way, thanks to seven Pennsylvania newsmen who took the hard way of getting a hearing on the validity of the canon. They deliberately violated a court order, were cited for contempt of court, and convicted. Their conviction was upheld by the State Supreme Court, so they have decided to appeal their case to the nation's highest tribunal.²⁵

Judge Edward G. Bauer, Westmoreland County, Pennsylvania, issued an order which went into effect February 25, 1954. It prohibited the taking of photos of any prisoners in the county jail, or on their way to or from court. It also banned photos within 40 feet of any court in session or in recess.²⁶

After the conviction of John Wesley Wable, "Phantom Killer of the Penn-

²³ "Report of Referee," *NPP*, 11:3 (April, 1956).

²⁴ Darr, Jack, "Colorado Decision Makes History, Kills Canon 35," *NPP*, 11:3 (April, 1956).

²⁵ Darr, Jack, "Penn. Camera Case Will Go to U. S. Supreme Court," *NPP*, 11:1 (November, 1956).

²⁶ "Defy Lens Ban to Test Court Right to Rule Press Cameras," *NPP*, 10:1 (February, 1955).

sylvania Turnpike," the newsmen presented a formal challenge of the ban on corridor photos to Judge Bauer.²⁷ Having received no satisfaction on their request, they decided to make a test case of the matter by taking photos of Wable as he was being taken to and from court for sentencing.

William Block, one of the defendants in the ensuing contempt case and co-publisher of the *Pittsburgh Post-Gazette*, said that they did not question the judge's right to ban photos in his court, "but when judges bar the taking of pictures outside the courtroom and almost anywhere in the courthouse, then we feel they are exceeding their authority."²⁸

The photos were taken by two photographers with silent, concealed cameras using natural light. Nobody, not even the deputies accompanying Wable, who had been warned to guard against photographers, was aware that any had been taken until they appeared in the afternoon papers and on the Associated Press wire.²⁹

The newsmen were subsequently convicted of criminal contempt of court. They appealed their case to the State Supreme Court, which upheld the Westmoreland decision, but did reduce the sentences to fines. They recently announced their decision to appeal to the United States Supreme Court. The NPPA acted as *amicus curiae* during the State Court's hearing and is negotiating for the right to act in the same capacity before the Supreme Court.³⁰

About the matter of the "right of privacy," it is interesting to note a decision handed down by the Westmoreland County Court, perhaps in an effort to explain their ban on photos. They extended the right of privacy to "persons who are present in court by virtue of judicial process, and not of their own volition. . . ."³¹ In other words, a person who commits a crime, in this case murder, has a right to prevent the public from being acquainted with his trial, as it is a private matter.

CONCLUSION

Press photographers have suffered under an unfair restriction for two decades, a restriction which has done little to improve the "dignity of court proceedings" as it was intended to do. With the two recent developments, the Colorado Supreme Court hearing and the pending United States Supreme Court case, the profession has moved closer to gaining its ultimate objective, repeal or at least modification of the 35th Canon of Judicial Ethics.

It remains doubtful that the American Bar Association will ever completely repeal their canon or that the Supreme Court will ever give photographers the complete run of the courtroom under the guise of freedom

²⁷ "Judges Call Criminal's 'Privacy' an Issue in Westmoreland Case," *NPP*, 10:3 (August, 1955).

²⁸ "Defy Lens Ban . . .," p. 1.

²⁹ Slantis, Paul, "Eye -Witness Story of How Press Photogs Broke Westmoreland Ban," *NPP*, 10:6 (February, 1955).

³⁰ Darr, "Penn. Camera Case . . .," p. 1.

³¹ "Whose Right of Privacy," *NPP*, 10:5 (August, 1955).

of the press, yet it is not unlikely that some modification of the restriction will be soon forthcoming. Justice Moore's suggested revision of Canon 35 contains the one restriction which the news profession considers essential, yet not detrimental, to a free press and public trial—the taking of photographs in a court of justice should be regulated by the trial judge who has the authority to lay down a set of ground-rules. The point to which objection is raised appears both in Justice Moore's report and Judge Bauer's opinion: Should and can the cloak of "right of privacy" be extended, with an aim to the preservation of justice, to a person appearing in a public court of justice? The answer, previous to the aforementioned decisions, has always been no; now it appears different.

After the Supreme Court rules on the Pennsylvania case, the press will have an answer. By all judicial standards of Western civilization, the Court can give only one answer.

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Rhet as Writ

I. Types of piety in America

A. The piece of mind type

Electrical engineers are needed for the generation of electric power.

A person who goes to school all day and works at night isn't about to come home and give his wife all the affection that is necessary for a happy and hormonious marriage.

The housewife could simply buy a pre-cooked meal for her family that would need only a little warming in the oven to make it ready for the dinner table.

The plots of the stories inevitably would have a villain, hero, and heroin.

. . . an inferior complexity was beginning to develop in him.

Don't be misled by thinking that I'm overbearing; I feel the same way towards my wife.

I realized I was going to have to take courses that I was not interested in. That was when I decided that teaching was my field.

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—The Editors

